

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 03rd September 2024.

CALLED FOR COMPLIANCE :

52. TP/3115/2024
[Original]
(ECHCBM02056272024)
with
WILL/1234/2024

) **Ms. Reshma Salunkhe i/b S. T. Manek, Advocate for**
) **the Petitioner.**
)

) **P.C.:** 1. Perused Petition which is filed online. Heard
)
) Ld. Advocate for the Petitioner. This Petition
) is for Probate of Last Will and Testament of
) the deceased filed by the Petitioner Rima
) Kiran Manek, being the Sole Executor named
) under the Will of the deceased. Deceased Lata
) daughter of Late. Shri.Shivji Rukhana, said to
) have died at Mumbai on 19.01.2024. Copy of
) death certificate is annexed to the Petition. For
) identification proof of the deceased, copy of
) Aadhaar Card is annexed to the Petition.
)

) 2. Ms. Salunkhe, Advocate for the Petitioner
) submits that deceased left behind her last Will
) and Testament which was duly executed at
) Mumbai, on 31.12.2022. The said Will is in
) English language.
)

) 3. Ms. Salunkhe, Advocate for the Petitioner
) submits that deceased was governed under the
) Hindu Succession Act 1956. It is submitted
) that the Deceased was unmarried/Spinster,
) and that father of the deceased pre.-deceased
) her before 60 years i.e. immediately after her
) birth, therefore date of death or death
) certificate of father of the deceased could not
) be found despite due and diligent search.
) However deceased in her Will itself has
) mentioned that her father predeceased her.
) Mother of the deceased viz. Smt. Sitaben Shivji
)

Rukhana also died on 10/01/2020. Exhibit-E is the copy of Death Certificate of mother of the deceased. The said deceased have only One Sister i.e. Smt. Kalpana Kiran Manek. The Petitioner is daughter of Smt. Kalpana Kiran Manek. Both i.e. the Petitioner & her mother are presently residing at Kolkata. Exhibit - F is the copy of Aadhar Card of the Petitioner, Rima Kiran Manek. Save and except as mentioned in para – 11, there are no other legal heirs and next of kin left by the deceased.

4. Petitioner's Oath is filed. Consent Affidavit of married sister of the deceased as mentioned in para – 11 of the Petition. Affidavit of Girish Sunderji Karia, one of the attesting witness to the Will is filed. Affidavit of service of General Citation is filed. All the Affidavits are also filed online. All other legal formalities are complied with. Hence, Petition is granted.

5. Office to issue Probate as prayed after verifying whether any Cross Petition or Caveat is filed.

03.09.2024

**Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master**